

With a view to receiving the advice and consent of the Senate to ratification, subject to the reservation outlined below, I transmit herewith the Patent Law Treaty and Regulations Under the Patent Law Treaty (the "Treaty"), done at Geneva on June 1, 2000, between the Governments of 53 countries including the United States of America. I also transmit, for the information of the Senate, the Key Provisions of the Patent Law Treaty report prepared by the Department of State.

Strong intellectual property protection is a cornerstone of free trade and global market access. This Treaty promotes patent protection by codifying, harmonizing, and reducing the costs of taking the steps necessary for obtaining and maintaining patents throughout the world. The provisions set forth in the Treaty will safeguard U.S. commercial interests by making it easier for U.S. patent applicants and owners to protect their intellectual property worldwide.

The Treaty generally sets forth the maximum procedural requirements that can be imposed on patent applicants, and in addition, provides standardized requirements for obtaining a filing date from which no party may deviate. Additionally, the Treaty provides that applicants cannot be required to hire representation for, among other things, the purpose of filing an application and that patents may not be revoked or invalidated because of noncompliance with certain application requirements, unless the noncompliance is a result of fraud. The Treaty does not limit the United States from providing patent requirements that are more favorable to the patent applicant or patent owner than those set forth in the Treaty or from prescribing requirements that are provided for in our substantive law relating to patents. Additionally, the Treaty is not intended to limit the United States from taking actions that it deems necessary for the preservation of its essential security interests.

This Treaty is in harmony with current U.S. patent laws and regulations, with minor exceptions to be addressed in proposed legislation. Because U.S. law does not require that each patent application apply to only one invention or inventive concept, and because the U.S. Patent and Trademark Office assesses that implementing a provision of the Treaty requiring "unity of invention" for all national applications would require a substantive and impractical change to our Patent Law, I recommend that the following reservation be included in the U.S. instrument of ratification, as allowed by the Treaty:

Pursuant to Article 23, the United States declares that Article 6(1) shall not apply to any requirement relating to unity of invention applicable under the Patent Cooperation Treaty to an international application.

I recommend that the Senate give early and favorable consideration to

this Treaty and give its advice and consent to its ratification, subject to the reservation described above.

GEORGE W. BUSH.  
THE WHITE HOUSE, September 5, 2006.

#### MEASURES PLACED ON THE CALENDAR—H.R. 4157, H.R. 4761, AND H.R. 4890

Mr. FRIST. Mr. President, I understand there are three bills at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will report the bills by title for a second time.

The assistant legislative clerk read as follows:

A bill (H.R. 4157) to promote a better health information system.

A bill (H.R. 4761) to provide for exploration, development, and production activities for mineral resources on the Outer Continental Shelf, and for other purposes.

A bill (H.R. 4890) to amend the Congressional budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of budget authority.

Mr. FRIST. In order to place the bills on the calendar under the provisions of rule XIV, I object to further proceedings en bloc.

The PRESIDING OFFICER. Objection is heard. The bills will be placed on the calendar.

#### NATIONAL PROSTATE CANCER AWARENESS MONTH

Mr. FRIST. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and that the Senate now proceed to S. Res. 552.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A Resolution (S. Res. 552) designating September 2006 as "National Prostate Cancer Awareness Month."

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 552) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 552

Whereas countless families in the United States have a family member that suffers from prostate cancer;

Whereas 1 in 6 men in the United States is diagnosed with prostate cancer;

Whereas throughout the past decade, prostate cancer has been the most commonly diagnosed type of cancer other than skin cancer and the second most common cause of cancer-related deaths among men in the United States;

Whereas, in 2006, more than 234,460 men in the United States will be diagnosed with prostate cancer and 27,350 men in the United States will die of prostate cancer according to estimates from the American Cancer Society;

Whereas 30 percent of the new diagnoses of prostate cancer occur in men under the age of 65;

Whereas a man in the United States turns 50 years old about every 14 seconds, increasing his odds of being diagnosed with prostate cancer;

Whereas African American males suffer from prostate cancer at an incidence rate up to 65 percent higher than white males and at a mortality rate double that of white males;

Whereas obesity is a significant predictor of the severity of prostate cancer and the chance that the disease will lead to death;

Whereas if a man in the United States has 1 family member diagnosed with prostate cancer, he has double the risk of prostate cancer, if he has 2 family members with such diagnosis, he has 5 times the risk, and if he has 3 family members with such diagnosis, he has a 97 percent risk of prostate cancer;

Whereas screening by both a digital rectal examination (DRE) and a prostate specific antigen blood test (PSA) can detect prostate cancer in earlier and more treatable stages and reduce the rate of mortality due to the disease;

Whereas ongoing research promises further improvements in prostate cancer prevention, early detection, and treatments; and

Whereas educating people in the United States, including health care providers, about prostate cancer and early detection strategies is crucial to saving the lives of men and preserving and protecting our families: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates September 2006 as "National Prostate Cancer Awareness Month";

(2) declares that it is critical—

(A) to raise awareness about the importance of screening methods and the treatment of prostate cancer;

(B) to increase research funding to be proportionate with the burden of prostate cancer so that the causes of the disease, improved screening and treatments, and ultimately a cure may be discovered; and

(C) to continue to consider methods to improve both access to and the quality of health care services for detecting and treating prostate cancer; and

(3) calls on the people of the United States, interested groups, and affected persons—

(A) to promote awareness of prostate cancer;

(B) to take an active role in the fight to end the devastating effects of prostate cancer on individuals, their families, and the economy; and

(C) to observe National Prostate Cancer Awareness Month with appropriate ceremonies and activities.

#### ORDERS FOR WEDNESDAY, SEPTEMBER 6, 2006

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:45 a.m. on Wednesday, September 6. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate proceed to a period of morning business for up to 30 minutes with the first 15 minutes